



REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON OCTOBER 04, 2018

PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Vincent L. Rama,	SP Member, Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member, Asst. Majority Floor Leader
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III,	SP Member
Nolito M. Quilang,	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President,
	Liga ng mga Barangay ng Ormoc
Jasper C. Yerro,	Ex-Officio SP Member, Chapter President,
	Panlungsod Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2018-249

A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC) AS VENDEE, TO SIGN THE AMENDMENT OF CONTRACT TO SELL WITH ABRAHAM P. PEREZ AND ARLEEN MAY P. PEREZ-FIGURASIN, AS VENDORS, FOR THE PURCHASE OF PARCELS OF LAND WITH AN AGGREGATE AREA OF ONE HUNDRED FIFTY-NINE THOUSAND ONE HUNDRED FIFTY-TWO (159,152) SQUARE METERS, MORE OR LESS, SITUATED AT BARANGAY DOLORES, THIS CITY, AMENDING SANGGUNIANG PANLUNGSOD (SP) RESOLUTION NO. 2018-145 DATED JUNE 21, 2018 AND THE CONTRACT TO SELL ATTACHED THERETO.

WHEREAS, the City Mayor Richard I. Gomez through an Indorsement dated September 7, 2018 forwarded to this august Body for consideration the amended Contract to Sell relative to the purchase of three (3) parcels of land located in Barangay Dolores, this City, with Arleen May P. Figurasin and Abraham Perez as vendors and Local Government Unit of Ormoc (LGU-Ormoc) as vendee requesting for the granting of authority for the City Mayor to sign and execute the same, for and on behalf of LGU-Ormoc, and further requesting that the matter be treated as EXTREMELY URGENT, a copy of the Amendment of Contract to Sell is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, to recall, the City Mayor had been earlier granted authority to sign a Contract to Sell over aforementioned properties with said vendors by this Sanggunian thru SP Resolution No. 2018-145 dated June 21, 2018, entitled: "A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ, OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC), AS VENDEE, TO PURCHASE AND SIGN THE CONTRACT TO SELL WITH ABRAHAM P. PEREZ AND ARLEEN MAY P. PEREZ-FIGURASIN, AS VENDORS, OVER PARCELS OF LAND WITH AN AGGREGATE AREA EQUIVALENT TO ONE HUNDRED SEVENTY THOUSAND NINE HUNDRED FIFTY-TWO (170,952) SQUARE METERS, MORE OR LESS, SITUATED AT BARANGAY DOLORES, THIS CITY, TO BE USED AS A RELOCATION SITE FOR THE IDENTIFIED BENEFICIARIES OF THE VICTIMS OF THE JULY 06, 2017 EARTHQUAKE AND FOR OTHER NECESSARY AND LAWFUL PURPOSES AS WELL;"

WHEREAS, in said Contract to Sell, it was discovered that the vendor had inadvertently failed to mention to the vendee that subject parcels 1 and 2 thereof are the subjects of pending expropriation cases filed by the National Grid Corporation of the Philippines (NGCP), but the latter had failed to annotate a Notice of Lis Pendens on copies of the titles for a portion of Two Thousand Four Hundred Eighty (2,480) square meters, traversed by transmission lines of the NGCP on parcel 1 and a portion of Five Thousand Three Hundred Ninety (5,390) square meters, traversed by the NGCP transmission line on parcel 2, thereby preventing their detection;

WHEREAS, upon perusal of the said expropriation cases, the City Legal Officer, in an Indorsement dated September 5, 2018 respectfully forwarded to the Office of the City Mayor an Amended Contract to Sell in order to remedy the inadvertence relative to the subject properties, a copy of said Indorsement is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, upon perusal of the amended sketch plans of the said affected parcels of land, the areas traversed by said NGCP transmission lines, inclusive of areas no longer found to be usable by the vendee because of their small sizes and not being contiguous, are found to be on the southern part of the whole area, and not significantly affecting the intended use of the properties, a copy of said sketch plans of the two parcels are attached as annexes to the Contract to Sell which were integral parts to the latter;

WHEREAS, this Sanggunian, after thorough examination of the aforementioned request by the City Mayor, deems that it indeed is proper and necessary that the request for the granting of authority for the City Mayor to sign the subject Amendment of Contract to Sell as it is a necessary means of remedying an inadvertence on the original Contract to Sell over three (3) parcels to be purchased by LGU-Ormoc as a relocation site for the identified beneficiaries of the victims of the July 6, 2017 earthquake and for other lawful and necessary purposes as well;



WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr. Chairman, Committee Laws and Ordinances, severally seconded by SP Members Vincent L. Rama, Mario M. Rodriguez, Tomas R. Serafica, Eusebio Gerardo S. Penserga, Gregorio G. Yrastorza III, John Eulalio Nepomuceno O. Aparis II, Esteban V. Laurente and Jasper C. Yerro; be it

RESOLVE, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF LOCAL GOVERNMENT UNIT OF ORMOC CITY (LGU-ORMOC) AS VENDEE, TO SIGN THE AMENDMENT OF CONTRACT TO SELL WITH ABRAHAM P. PEREZ AND ARLEEN MAY P. PEREZ-FIGURASIN, AS VENDORS, FOR THE PURCHASE OF PARCELS OF LAND WITH AN AGGREGATE AREA OF ONE HUNDRED FIFTY-NINE THOUSAND ONE HUNDRED FIFTY-TWO (159,152) SQUARE METERS, MORE OR LESS, SITUATED AT BARANGAY DOLORES, THIS CITY, AMENDING SANGGUNIANG PANLUNGSOD (SP) RESOLUTION NO. 2018-145 DATED JUNE 21, 2018 AND THE CONTRACT TO SELL ATTACHED THERETO;


ADOPTED, October 04, 2018.

RESOLVED, FURTHER, that a copy of the final and notarized Contract to Sell be submitted to the Sangguniang Panlungsod ng Ormoc for its information and files;

RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez, the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Jasper Lucero; the City Budget Officer; the City Accountant; the City Treasurer; the Register of Deeds, Ormoc City; the City Assessor; Ms. Arleen May P. Perez-Figurasin; Mr. Abraham P. Perez; the OIC-City Director, DILG; and other concerned offices for their information and guidance.

CARRIED UNANIMOUSLY,

I HEREBY CERTIFY to the correctness of the foregoing resolution.


MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer



Republic of the Philippines
OFFICE OF THE CITY LEGAL OFFICER
Ormoc City, Leyte

OFFICE OF THE CITY MAYOR	
RECEIVED	
DATE:	9-5-18
TIME:	1:30
SIGNATURE:	<i>[Signature]</i>

September 5, 2018

INDORSEMENT

Respectfully forwarded to the Office of the City Mayor the Amended Contract to Sell re the property of Arleen May P. Figurasin and Abraham Perez located in Brgy. Dolores.

The undersigned requests that appropriate communication be made by the CMO to the SP requesting the latter for authority of the Mayor to sign the Amended Contract to Sell.

The undersigned further requests that this matter be treated as extremely urgent.

For the consideration of the Office of the City Mayor.

OFFICE OF THE CITY LEGAL OFFICER
Ormoc City

ATTY. JASPER M. LUCERO
City Legal Officer

CERTIFIED TRUE COPY OF
ORIGINAL DOCUMENT

MA. VICTORIA R. DELA CERNA

SIGNED: CITY GOVT. ASST. DEPT. HEAD 1

DATE: 10 SEP 2018

AMENDMENT OF CONTRACT TO SELL

KNOW ALL MEN BY THESE PRESENTS:

This contract is made and entered into by and among:

ARLEEN MAY P. PEREZ-FIGURASIN and **ABRAHAM PEREZ** who is herein represented by his sister, **ARLEEN MAY P. PEREZ** per special power of per Special Power of Attorney executed on March 23, 2018 before Vice Consul Noel L. Rodriguez of the Embassy of the Republic of the Philippines in Riyadh, Saudi Arabia and entered as Doc. No. 822; Srvc. No. 556; O.R. No. 858364; and Series of 2018, Filipinos, of legal ages, and residents of 147 Real St., Cantubo, Ormoc City, hereinafter referred to as the **VENDOR**;

-and-

LGU-ORMOC CITY, a municipal corporation created under the laws of the Philippines, represented by the Mayor, **RICHARD I. GOMEZ, M.B.A.**, hereunder referred as the **VENDEE**.

Witnesseth;

WHEREAS, the parties executed a Contract to Sell dated July 03, 2018 which the City Mayor was given the authority to sign by the SP in a Resolution No. 2018-145 dated June 21, 2018 involving three (3) parcels of land, described as follows:

Parcel 1

"A parcel of registered land, Lot No. 7505-A of the subdivision plan, Psd-08-004056, being a portion of Lot 7505, Ormoc Cadastre. Situated in Brgy. Dolores, Ormoc City, containing an area of Seventy Eight Thousand Nine Hundred Sixty (78,960) Square Meters, and covered by TCT No. 21620 of the Register of Deeds for Ormoc City, registered under the name of Abraham P. Perez."

Parcel 2

"A parcel of registered land, Lot No. 7505-B, Ormoc Cadastre, situated in Brgy. Dolores, Ormoc City, containing an area of Seventy Eight Thousand Nine Hundred Sixty One (78,961) Square Meters, and covered by TCT No. 21621 of the Register of Deeds for Ormoc City, registered under the name of Arleen May P. Figurasin."

Parcel 3

"A parcel of land known as Lot No. 7507, situated in Brgy. Dolores, Ormoc City, Leyte, covered by Transfer Certificate of Title No. 21515 issued by the Registry of Deeds for the City of Ormoc, with an area of THIRTEEN THOUSAND AND THRITY-ONE (13,031) square meters, more or less, registered under the name of Lourdes Pongos Perez. The ownership of the sellers are evidenced by Deed of Extrajudicial Settlement and Partition executed on April 12, 2018 which was entered as Doc. No. 48, Page No. 11, Book No. XCVIII and series of 2018 in the notarial register of Atty. Adelito M. Solibaga Jr., Notary Public."

WHEREAS, the vendor inadvertently failed to mention to the vendee that subject parcel 1 & 2 have pending expropriation cases filed by the NGCP, but the latter did not annotate a notice of lis pendens on the titles for a portion of Two Thousand Four Hundred Eighty (2,480) sq. m., traversed by a transmission lines of the NGCP on parcel 1 and a portion of Five Thousand Three Hundred Ninety (5,390) Sq. M., traversed by the transmission line of the NGCP on parcel 2.

WHEREAS, it is necessary therefore to amend **SOME PROVISIONS** of the contract to sell so as to correct the area sold and the total purchase price.

NOW THEREFORE, the parties hereto hereby agreed to amend some provisions of the contract to sell dated April 12, 2018, as follows:

- I. THAT the lots subject of the sale is hereunder described to wit:

Parcel 1

"A parcel of registered land, Lot No. 7505-A of the subdivision plan, Psd-08-004056, being a portion of Lot 7505, Ormoc Cadastre, situated in Brgy. Dolores, Ormoc City, containing an area of Seventy Eight Thousand Nine Hundred Sixty (78,960) Square Meters, less the area of Two Thousand Four Hundred Eighty (2,480) sq. m. traversed by a transmission lines of the NGCP and unusable area of Forty Five (945) sq. m., covered by TCT No. 21620 of the Register of Deeds for Ormoc City, registered under the name of Abraham P. Perez. Portion sold consist only of Seventy Six Thousand Four Hundred Thirty Five (76, 435) sq. m. described as Lot No. 7502-A-4 in attached Sketch Map which is made an integral part herein.

Parcel 2

"A parcel of registered land, Lot No. 7505-B, Ormoc Cadastre, situated in Brgy. Dolores, Ormoc City, containing an area of Seventy Eight Thousand Nine Hundred Sixty One (78, 961) Square Meters, less the area of Five Thousand Three Hundred Ninety (5, 390) Sq. M., traversed by the transmission line of the NGCP, and the unusable area of Three Thousand Eight Hundred Eighty Five (3, 885) sq. m., covered by TCT No. 21621 of the Register of Deeds for Ormoc City, registered under the name of Arleen May P. Figurasin. Portion sold consist only of Sixty Nine Thousand Six Hundred Eighty Six (69, 686) sq. m. described as Lot No. 7505-B-2 in attached sketch map which is made an integral part herein.

Parcel 3

"A parcel of land known as Lot No. 7507, situated in Brgy. Dolores, Ormoc City, Leyte, covered by Transfer Certificate of Title No. 21515 issued by the Registry of Deeds for the City of Ormoc, with an area of **THIRTEEN THOUSAND AND THRITY-ONE (13,031) square meters**, more or less, registered under the name of Lourdes Pongos Perez. The ownership of the sellers are evidenced by Deed of Extrajudicial Settlement and Partition executed on April 12, 2018 which was entered as Doc. No. 48, Page No. 11, Book No. XCVIII and series of 2018 in the notarial register of Atty. Adelito M. Solibaga Jr., Notary Public."

2. THAT the contract price is **ONE HUNDRED FIFTY PESOS (PhP 150.00)** per square meter or equivalent to **TWENTY THREE MILLION EIGHT HUNDRED SEVENTY TWO THOUSAND EIGHT HUNDRED PESOS (PhP 23,872,800.00)** for the entire **ONE HUNDRED FIFTY NINE THOUSAND ONE HUNDRED FIFTY TWO (159, 152) Square Meters**.
3. X x x x.
4. X x x x x.
5. That upon receipt of the Fifty Percent (50%) of the selling price of the amount of **ELEVEN MILLION NINE HUNDRED THIRTY SIX THOUSAND AND TWO HUNDRED TWENTY FIVE PESOS (PhP 11, 936, 225.00)** by the vendor, the latter

shall sign a DEED OF ABSOLUTE SALE over the property subject of this contract in favor of the VENDEE and acknowledgement receipt of the total amount.

THAT all other provisions of the contract to sell dated July 7, 2018, that is not amended remained in force and effect.

THAT this instrument is NOT a cancellation NEITHER a rescission of the contract to sell dated July 7, 2018 but merely an amendment to some provisions thereto pertaining to the area sold and the purchase price.

IN WITNESS WHEREOF, the parties have executed this Contract to sell on _____, 2018, at Ormoc City, Philippines.

ABRAHAM PEREZ
Vendor

ARLEEN MAY P. PEREZ-FIGURASIN
Vendor

By:

ARLEEN MAY P. PEREZ-FIGURASIN
(Attorney-in-fact)

LGU-ORMOC CITY
Vendee

By:

RICHARD I. GOMEZ, M.B.A.
City Mayor

Signed in the presence of and Parties personally known to the witnesses:

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
ORMOC CITY) SS.

BEFORE ME, a Notary Public for and in the City of Ormoc, personally appeared:

Name	Valid ID
ARLEEN MAY P. PEREZ-FIGURASIN	COMELEC VIN 5802-0251A-E2362APF20001-6
RICHARD I. GOMEZ	

known to me and to me known to be the same persons who executed the foregoing contract to sell over a parcel of land, which instrument consists of three (3) pages including the page on which this acknowledgment is written, and signed at the left margin of each and every page by the party executing this instrument and their witnesses, and acknowledged to me that the same is their free and voluntary act and deed.

WITNESS MY HAND AND SEAL, on _____, Ormoc City, Philippines.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 2018

Annex "C"

THE LINES FROM ROW 118
DRIVOC CITY, ROW 08-704056
TO CORNER :

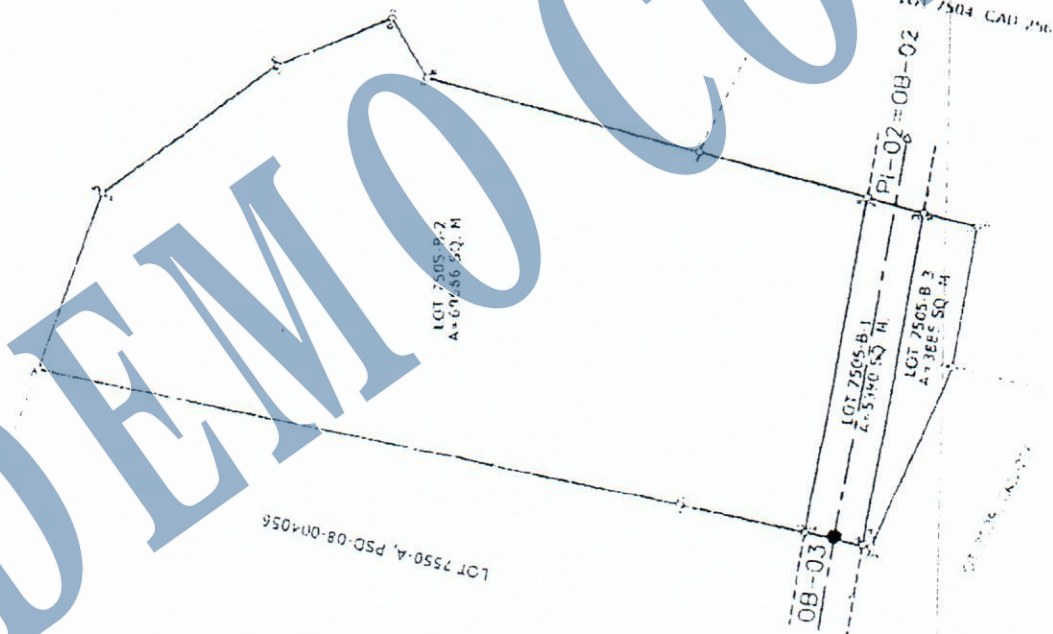
	BEARS	PLACES
7505-E-1	\$ 4732 E	600 42 M
7505-E-1	\$ 3539 E	631 05 M
7505-E-2	\$ 3539 E	631 05 M
7505-E-3	\$ 4732 E	600 42 M

1000

[illegible]

Case	Tissue		Description	
	Site	Time	Site	Time
1	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5

LINE	ITEM	QTY	UNIT	PRICE	TOTAL
1	1/2" N 11.40 E	65.35			
2	1/2" N 11.45 E	334.33			
3	1/2" N 11.53 E	97.74			
4	1/2" N 11.55 E	109.55			
5	1/2" N 12.42 E	63.83			
6	1/2" N 12.52 W	36.52			
7	1/2" N 14.15 W	144.48			
8	1/2" N 14.35 W	89.53			
9	1/2" N 14.47 W	80.44			



LGT 7505.9.2
A-67256 SQ. M

$$\begin{array}{r} 1.85056107 \\ \hline \end{array}$$

LOT 7505-B 3
A73EEC SQ 24

$$20-ED=20-14$$

Call 24h

2-5 678910-4

	O.	6895	ON 330 A.V.
L'UNION FRANÇAISE	7612	ON 231/150	

C. C. 789-10999

THE UNIVERSITY OF CHICAGO

BUREAU CODE
 BRANCH OF
 DIV / CITY OF
 PROVINCE OF
 ISLAND OF
 CONTAINING AN AREA OF

DECS 2005-07-20
BEARING : TRUE
SCALE : 1000



CERTIFICATION

I hereby certify that DNA is the correct Submission Sheet Plan of LOT-106-A, as shown on all points being from the technical descriptions of the above-said lot and actual survey of same. Said lot is pointed to us by an authority and representative of the National Grid Corporation of the Philippines and that I assume full responsibility of the technical correctness of the survey. Any error found later will be rectified at no cost to NGCCP.

Prepared by:
RVM-71MAY
6102

RECEIVED
JAN 10 1964

File	Cont	Ac	Mat	Dist	7-5-52
100-100000	100-100000	100-100000	100-100000	100-100000	100-100000



GEOLINK
CORPORATION

UNIT 507 WEEJET ACRQUIDE B.00
#56 E. RODRIGUEZ, 2F. AVE. BACUVERAN C.



NATIONAL GRID CORPORATION
OF THE PHILIPPINES

PLAN OF LAND OF
ARLEEN MAY P. DEERE
LOT 7505-B-1

APPROVED BY GRACE-BASHAM J. K. - 1/

$\text{H}_2\text{N}-\text{CH}(\text{R})-\text{COOH}$

NOTED 2 22/06/2004

